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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/732,800	12/11/2003	Matthias Eisengruber	051481-5126

CONFIRMATION NO. 5876

FORMALITIES LETTER



OC000000012115288

009629

MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004

Date Mailed: 03/17/2004



NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:Total additional fee(s) required for this application is **\$900** for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

08/12/2004 JBALINAH 00000077 500310 10732800

01 FC:1001 770.00 DA
02 FC:1051 130.00 DA

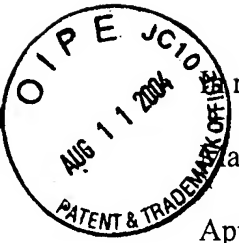
*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



re Application of:)
)
Matthias EISENGRUBER, *et al.*) Confirmation No.: 5876
)
Application No.: 10/732,800) Group Art Unit: 3747
)
Filed: 11 December 1003) Examiner: Unassigned
)
For: APPARATUS, SYSTEM AND METHOD)
OF USING A VIBRATION BEAM WITH)
A PIEZO-ELECTRIC ACTUATOR)

U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window, **Mail Stop Missing Parts**
Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

RESPONSE TO NOTICE TO FILE MISSING PARTS

1. This replies to the Notice to File Missing Parts of Nonprovisional Application mailed March 17, 2004.

A copy of the Notice To File Missing Parts Of Nonprovisional Application is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed are the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

Also enclosed is the Verification of Translation Document.

08/12/2004 JBALINAN 00000077 500310 10732800

03 FC:1253 950.00 DA

1-WA/2206213.1

4. Small Entity Status

☐ Small entity status under 37 C.F.R. § 1.27 is asserted for the present application.

5. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below:

Total months requested	Fee for extension	[fee for Small Entity]
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input checked="" type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00
<input type="checkbox"/> five months	\$2,010.00	\$1,005.00

Extension of time fee due with this request: \$ 950.00

If an additional extension of time is required, please consider this a Petition therefor.

☐ Applicants believe that no extension of time is required. However, in the event applicants have inadvertently overlooked the need for a petition and fee for extension of time, applicant hereby petitions for such an extension and requests that any fee therefor be charged to our Deposit Account No. 50-0310.

6. Assignment

☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

7. Fee Calculation

					Fee Code
Basic Fee				\$770.00	1001/2001
	Number Filed	Number Extra	at a Rate of (Lg./Sm.Entity)		
Total Claims	16 – 20 =	0	\$18/\$9 each=	\$ 0.00	1202/2202
Independent Claims	3 - 3 =	0	\$86/\$43 each=	\$ 0.00	1201/2201
Multiple dependent claim(s), if any			\$290/\$145	\$ 0.00	1203/2203
SUB-TOTAL =				\$770.00	
Late Filing Surcharge Fee (37 C.F.R. § 1.16(e))			\$130/\$65	\$130.00	1051/2051
Extension Fee (37 C.F.R. § 1.17(a)(1)-(5))		\$110/\$55 (1 Month)		\$ 950.00	1251/2251
		\$420/\$210 (2 Months)			1252/2252
		\$950/\$475 (3 Months)			1253/2253
		\$1480/\$740 (4 Months)			1254/2254
		\$2010/\$1005 (5 Months)			1255/2255
SUB-TOTAL =				\$1,850.00	
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(i) and § 1.52(d))			\$130.00	\$ 0.00	1053
Assignment Recordation Fee			\$ 40.00	\$ 0.00	8021
TOTAL FILING FEE =				\$1,850.00	

8. Fee Payment


- ☐ Enclosed is a check in the amount of \$_____ representing the total fee due.
- ☒ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

9. Additional papers enclosed.
- ☐ Preliminary Amendment
 - ☒ Transmittal of Replacement Drawings with 9 sheets of drawings
 - ☐ Claim for Priority
 - ☐ Certified copy(ies) of priority document(s):
 - ☒ Information Disclosure Statement
 - ☒ Form PTO-1449, _ references as listed
 - ☐ Declaration of Biological Deposit
 - ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
 - ☐ Other:

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Date: August 11, 2004



Scott J. Anchell
Reg. No. 35,035

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Facsimile: (202) 739-3001



Attorney Docket No.: 51481-5126

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)

Matthias EISENGRUBER, *et al.*)

Application No.: 10/732,800)

Filed: 11 December 1003)

For: APPARATUS, SYSTEM AND METHOD)
OF USING A VIBRATION BEAM WITH)
A PIEZO-ELECTRIC ACTUATOR)

Confirmation No.: 5876

Group Art Unit: 3747

Examiner: Unassigned

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Crystal Plaza Two, Lobby, Room 1B03
Arlington, Virginia 22202

TRANSMITTAL OF DRAWING REPLACEMENT SHEETS

Sir:

Approval is respectfully requested for the substitution of the attached 9 sheets of formal drawings, Figures 1-10. These sheets of formal drawings replace the informal drawings filed 11 December 2003.

It is respectfully submitted that these changes introduce no new matter as they conform to the specification and/or drawings as originally filed, pursuant to 37 C.F.R. § 1.81(d).

If there are any fees due in connection with the filing of these drawings, the Commissioner is hereby authorized to charge any additional fees due to Deposit Account No. 50-0310.

Respectfully submitted,
MORGAN, LEWIS & BOCKIUS LLP

Date: 11 August 2004

By: Scott J. Anchell

Scott J. Anchell
Reg. No. 35,035

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